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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERIK MENZEL,

Plaintiff,

vs.

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

CIVIL NO. 3:20-cv-04494-WHO

STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT FOR  
PLAINTIFF AND [PROPOSED] ORDER

TO THE HONORABLE WILLIAM H. ORRICK, DISTRICT JUDGE OF THE DISTRICT  
COURT:

IT IS HEREBY STIPULATED, by and between Plaintiff and Andrew Saul, Commissioner of Social Security (the Commissioner or Defendant), through their respective counsel of record, that this action be remanded for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to reevaluate the medical evidence, including, but not limited to, all medical-source opinion evidence. The Appeals Council will instruct the ALJ to take further action, as warranted.

Stip. & Proposed Order for Vol. Rem., 3:20-cv-04494-WHO

1 The parties further request that the Clerk of the Court be directed to enter a final judgment in  
2 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

3  
4 Respectfully submitted,

5 Date: March 17, 2021

6 By: /s/ \* David Chermol  
7 DAVID CHERMOL  
8 (\*authorized by email on Mar. 16, 2021)  
Attorney for Plaintiff

9 Date: March 17, 2021


10 STEPHANIE HINDS  
Acting United States Attorney

11 By: /s/ Jennifer A. Kenney  
12 JENNIFER A. KENNEY  
Special Assistant United States Attorney

13  
14 **ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED:

16  
17 Dated: March 18, 2021

18   
19 HON. WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE